

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 21-108 (PAM/TNL)

UNITED STATES OF AMERICA,

Plaintiff,

**DETENTION ORDER**

v.

(1) DEREK MICHAEL CHAUVIN,

Defendant.

This matter was before the Court on June 1, 2021, for an initial appearance via video conference. Defendant was present and represented by Eric Nelson. The Government was represented by Manda Sertich, Assistant United States Attorney, and Samantha Trepel, Special Litigation Counsel for the Civil Rights Division. The United States moved for detention. Defendant did not contest the motion and waived his right to a detention hearing. This Court finds that no condition or combination of conditions of release will reasonably assure the safety of the community or the appearance of Defendant as required. Accordingly, the Government's motion for detention without bond is granted.

**FINDINGS AND CONCLUSIONS**

1. Defendant is charged in this case by Indictment with two Counts of Deprivation of Rights Under Color of Law, in violation of 18 U.S.C. § 242, resulting in the death of George Floyd. Defendant is also charged by separate Indictment with two additional Counts of Deprivation of Rights Under Color of Law, in violation of 18 U.S.C.

§ 242, resulting in bodily injury to a fourteen-year-old identified as “Juvenile 1.” Thus, the nature of this offense is very serious.

2. Defendant was recently convicted by jury verdict in Hennepin County District Court of second degree murder, third degree murder, and second degree manslaughter, based on the same conduct charged in this Indictment. Defendant is currently in custody pending sentencing for those convictions.

3. Defendant knowingly and intelligently waived his right to contest the Government’s motion for detention.

4. The Court finds that detention is appropriate in this case, based in part on Defendant’s waiver. Additionally, based on the reasons set forth in the Bond Report, the risk of non-appearance and to the safety of the community is evident.

### **CONCLUSIONS OF LAW**

Based upon the record of these proceedings, the Court concludes that Defendant has waived his right to a detention hearing. The Court also concludes there is clear and convincing evidence that Defendant presents a risk of danger to the community and by a preponderance of the evidence that Defendant presents a risk of nonappearance such that no condition or combination of conditions of release will reasonably assure the safety of the community or Defendant’s appearance.

Accordingly, IT IS HEREBY ORDERED that:

1. The motion of the United States for detention without bond is GRANTED;
2. Defendant is committed to the custody of the United States Marshals for confinement in a correctional facility separate, to the extent practicable, from persons

awaiting or serving sentences or being held in custody pending appeal;

3. Defendant shall be afforded reasonable opportunity to consult privately with his lawyer; and

4. Upon order of the Court or request by the United States Attorney, the person in charge of the correctional facility in which Defendant is confined shall deliver him to the United States Marshal for the purpose of appearance in connection with a court proceeding.

Dated: June 4, 2021

*s/ Becky R. Thorson*

BECKY R. THORSON

U.S. Magistrate Judge